SELF-REPRESENTED LITIGANTS PROJECT

JUSTICE CENTRE/COURT SITE VISITS 2002-2003

Interview Guide

Name and Title of Person: _____

Court site where interviewed: _____

Date interviewed: _____

Interviewed by: ☐ Anna ☐ Yetta

Purpose of Interviews

- examine areas and stages of interaction between SRLs and court staff
- assess greatest needs for courts and SRLs at court sites (physical and program needs)
- gain insight into volume by court and case type (criminal, civil) of self-represented litigant (SRL)

Questions for court staff

1. At what **stage of the court process** is a SRL asking the most questions of court staff?

   ☐pre-filing?

   ☐filing?

   ☐pre-trial?

   ☐trial?

   ☐post-trial?

2. At **which of these stages are you most likely to spend time** with a SRL, at his/her request?

□pre-filing?

□filing?

□pre-trial?

□trial?

□post-trial?

3. Describe how much **time** it takes, on average, to **answer an inquiry** by a SRL:
   - at counter
   - by phone

   and how much time you spend doing this on an average day:
   - minutes/day
   - hours/day

   and/or per week:

4. What are **some of the questions** most often asked at:
   - pre-filing stage?
   - filing stage?
   - pre-trial stage?
   - trial stage?

- post-trial stage?

5. In your experience, **at which stage** is it most important to provide **information to a SRL**:
□pre-filing?

□filing?

□pre-trial?

□trial?

□post-trial?

6. What is the **impact of SRLs**:

- on your job?

- on the functioning of the court? (delays, longer court hearings, security problems, interrupted court hearings, anything else)

7. In your experience, what are the **greatest frustrations** in dealing with a SRL:

- □ can't understand?
- □ lack of knowledge?
- □ lack of initiative?
- □ lack of follow up?
- □ bad attitude?
- □ your inability to give good service?
- □ other? (please describe)

8. What are some of the **biggest mistakes** a SRL makes in his/her individual court processes:
- □ filling out forms wrong?
- □ getting court processes wrong?
- □ lack of knowledge of rules of evidence?

- ☐ generally unprepared?
- ☐ can't draft orders and documents like affidavits etc. correctly?
- ☐ not doing good job for themselves? (describe, if other than the reasons above)

9. What **management or information measures** have you been using to deal with the challenge of the SRL, and how successful are they?(Get them to elicit what coping methods or systems they use, formal or informal. Are there special lineups, times or staff who deals with the SRL? Special information materials, or resource lists they give the SRL?)

10. What would you like to be able to **give a SRL as information** that isn't there now:
a) in **what form**- verbal, video or print?

b) on **what subject matters** (subject areas or referral or resource guides...)?

11. Do you have **other suggestions or solutions** for Court Services to cope with the SRL and the challenges they create for courts and other areas?

12. Did you know about this project before this interview? When?

13. Have you seen copies of the SRL Pamphlet, Court Services information for Family Division, Supreme Court information sheets, Video "Your Day in Court" ?

Questions for Judges, Registrars of Probate

1. In your opinion are self-represented parties generally disadvantaged by the lack of legal representation?

☐	☐	☐	☐
yes	no	NA	not sure

Comments:

2. In your opinion are the other party's generally disadvantaged by the unrepresented party's lack of legal representation?

☐	☐	☐	☐
yes	no	NA	not sure

Comments:

3. In your opinion, does a self-represented litigant generally participate in the proceedings with **confidence**?

☐	☐	☐	☐
yes	no	NA	not sure

Comments:

4. In your opinion, does a self-represented litigant generally participate in the proceedings with **competence**?

☐	☐	☐	☐
yes	no	NA	not sure

Comments:

5. Would you be assisted generally if the self-represented litigant had been represented?

☐	☐
yes	no

6. If you answered 'yes' to question 5, in what ways? (Tick all that apply):
   - ☐ The matter would not have taken as long
   - ☐ Or, the matter would not have been resolved so quickly
   - ☐ Documents would have been better prepared
   - ☐ The matter might have been resolved with help from lawyers
   - ☐ The SRL would not have needed help in court procedures
   - ☐ The SRL was unable to present case, cross-examine, etc.
   - ☐ Fewer documents would have been needed
   - ☐ The SRL had language or communication difficulties/disabilities
   - ☐ Other (please specify)

7. What are some of the **biggest mistakes** a SRL makes in his/her individual court processes:

   - ☐ filling out forms wrong?
   - ☐ getting court processes wrong?
   - ☐ lack of knowledge of rules of evidence?
   - ☐ generally unprepared?
   - ☐ can't draft orders and documents like affidavits etc. correctly?
   - ☐ not doing good job for themselves? (describe, if other than the reasons above)

8. Do you have **other suggestions or solutions** for Court Services to cope with the SRL and the challenges they create for courts and other areas?